

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

SECTION C – DESCRIPTION/SPECIFICATIONS/WORK STATEMENT

ARTICLE C.1 – INTRODUCTION

CBP seeks highly qualified Contractors to assist in the development of a new border wall design standard as well as construct border wall and supporting tactical infrastructure/technology along the southwest border. CBP seeks highly qualified Contractors to propose a reinforced solid concrete wall that meets or exceeds CBP's performance requirements. The proposed prototype designs shall not include the use of proprietary design or equipment.

CBP plans to enter into multiple-award, indefinite-delivery, indefinite-quantity (IDIQ), task order contracts for Border Wall Design/Build Construction. The IDIQ may include various, simultaneous task orders ranging from \$100,000 up to \$275,000,000 per task order.

CBP anticipates awarding IDIQ contracts to multiple Contractors. All selected Contractors will be awarded one (1) task order to construct its prototype. All selected Contractors may also be provided an opportunity to propose on future task order requirements that are anticipated to be both design build and design bid build task orders for border wall and supporting tactical infrastructure and technology along the southwest border. Tactical infrastructure includes: access and patrol roads, fencing, drainage structures, motorized vehicle gates, light-emitting diode (LED) lighting, fiber optics and communication towers. Technology could include remote video surveillance systems (RVSS), ground sensors, etc.

ARTICLE C.2 – BACKGROUND

The Border Patrol and Air and Marine (BPAM) Program Management Office (PMO), within the Office of Facilities and Asset Management (OFAM), manages the planning, leasing, construction and sustainment of real property for the United States Border Patrol (USBP) and Air and Marine Operations (AMO) facilities and tactical infrastructure (TI). Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, 8 U.S.C. § 1103, provides the Department of Homeland Security with the key authority to construct – in the most expeditious manner possible – the infrastructure necessary to deter and prevent illegal entry on our southwest border. Additionally, Executive Order 13767 directs the Government to build a border wall with Mexico. The BPAM PMO is responsible for overseeing the planning and construction of the border wall.

ARTICLE C.3 – GENERAL INTENTIONS

The general intent of this acquisition is to award multiple indefinite-delivery, indefinite-quantity (IDIQ), task order contracts for the design and construction of border wall and associated tactical infrastructure/technology along the southwest border. The first task orders are anticipated to result in the design and construction of the prototype wall(s) that at a minimum meet CBP's Border Wall requirements, which are described below. CBP shall use best practices and lessons learned from the prototypes to develop a Government-approved design standard that is intended to serve as the basis for future wall construction.

CBP currently has design standards for its remaining tactical infrastructure components, which shall be provided to the IDIQ holders upon contract award. Tactical Infrastructure is defined in section C.5 Definitions.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

C.3.1 Border Wall Design Considerations:

Individual task order requests for proposals under this IDIQ shall specify requirements for each task order. There are several principal requirements that shall be reflected and incorporated in any design-build activity under this IDIQ. Threshold requirements are intended to be minimums, although the terms of individual task orders may allow flexibility for trade-offs and variations among the threshold requirements and other factors. Objective requirements indicate features that, in addition to the thresholds, have significant value and would substantially enhance the effectiveness of a wall.

Threshold Requirements

- 1) The wall design shall be reinforced concrete.
- 2) The wall design shall be physically imposing in height. The Government's nominal concept is for a 30-foot high wall. Offerors should consider this height, but designs with heights of at least 18 feet may be acceptable. Designs with heights of less than 18 feet are not acceptable.
- 3) It shall not be possible for a human to climb to the top of the wall or access the top of the wall from either side unassisted (e.g. via the use of a ladder, etc.)
- 4) The wall design shall include anti-climb topping features that prevent scaling using common and more sophisticated climbing aids (e.g. grappling hooks, handholds, etc.)
- 5) The wall shall prevent digging or tunneling below it for a minimum of 6 feet below the lowest adjacent grade.
- 6) The wall shall prevent/deter for a minimum of 1 hour the creation a physical breach of the wall (e.g., punching through the wall) larger than 12-inches in diameter or square using sledgehammer, car jack, pick axe, chisel, battery operated impact tools, battery operated cutting tools, Oxy/acetylene torch or other similar hand-held tools.
- 7) The north side of wall (i.e. U.S. facing side) shall be aesthetically pleasing in color, anti-climb texture, etc., to be consistent with general surrounding environment. The manufacturing/construction process should facilitate changes in color and texture pursuant to site specific requirements.
- 8) The wall design shall be able to accommodate surface drainage.
- 9) The wall design shall be able to accommodate Border Patrol approved design standards for pedestrian and automated mechanized vehicle sliding gates (25 feet and 50 feet).
- 10) The wall design shall be constructible to slopes up to 45 percent.
- 11) The wall fittings and fixtures shall be secured on the north side of the wall to shield from external attack.
- 12) The wall design should be cost effective to construct, maintain and repair.

Objective Requirements

- 1) It is operationally advantageous that the design of first 12 feet of wall height (as measured from the highest adjacent grade) be adaptable to prevent/deter for a period of time greater than 1 hour 30 minutes up to 4+ hours the creation of a physical breach of the wall (e.g., punching through the wall) larger than 12-inches in diameter or square using sledgehammer, car jack, pick axe, chisel, battery operated impact tools, battery operated cutting tools, Oxy/acetylene torch or other similar hand-held tools.

C.3.2 Design and Construction Requirements

The Contractor's design professionals shall be the Designers of Record for all awarded task orders to this IDIQ. They must take full responsibility for the design and must meet professional and regulatory

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

standards. All work provided by the Contractor's Designers of Record shall be prepared by or under the direct supervision of licensed professional Engineers. Final calculations, drawings and specifications shall be affixed with signed and dated professional seals of the Architect or Engineer of Record for each specific professional discipline. Design and preparation of construction documents shall conform to all applicable codes and standards including, but not limited to, those listed within the RFP documents. The Contractor shall be responsible for the wall design. The Contractor shall be responsible for the coordination of design, engineering and construction disciplines in order to fulfill the requirements of this contract and to provide for a complete, integrated and functional design. All below grade utility crossings or other above or below grade interferences shall be coordinated, with any conflicts resolved, by the Contractor prior to start of construction.

The Contractor shall be responsible for the professional quality, code compliance, technical accuracy and coordination of all designs, drawings, specifications, and other documents or publications upon which the construction is based. Any additional Geotechnical information required by the Contractor shall be acquired as part of the design-build proposal. Construction documents shall be sufficient to afford a clear understanding of the construction work required. The work shall be organized in a manner that shall assure thorough coordination between the various details on the drawings and between the drawings and the specifications. The Contractor shall cross-check all work and certify that all conflicts have been reconciled.

The Contractor shall be responsible for the coordination of all Sub-Contractors required to complete construction.

The Contractor shall provide all labor, supervision, tools, materials, equipment, transportation, and management necessary or incidental to provide planning, construction, repair and alterations for CBP.

C.3.3 Emergency Circumstances

The Contractor shall provide the names, job titles, and contact information, to include telephone numbers (business, cell phones, facsimile, pager numbers, etc.) of a senior manager within the Contractor's organization, and a minimum of one similarly qualified alternate to serve as continuously available liaison with the BPAM PMO appointed Wall Program and Project Manager(s). The Contractor shall submit the above information to the Contracting Officer (CO) and Contracting Officer's Representative (COR) by email within two calendar days following receipt of the award. During the contract period, the Contracting Officer and the Contracting Officer's Representative (COR) shall be notified immediately, by email, of any changes regarding the designated liaisons.

C.3.4 Prototype Requirements

The Contractor shall provide for the design and construction of a full-scale prototype. The prototype wall shall be 30 feet long and meet all of the border wall requirements specified herein (with the exception of the drainage, steep slope and gate requirements). Prototypes constructed under this task order must offer designs that are a reinforced concrete structure with solid facings. The prototype will be constructed at a location in San Diego, CA as determined by the Government.

C.3.4.1 Concrete Border Wall (Task Order)

The Contractor shall provide for the design and construction of a 30 ft. long prototype. The prototype shall include the following requirements from section C.3.1 of this Statement of Work:

Threshold Requirements

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

- 1) The wall design shall be reinforced solid concrete.
- 2) The wall design shall be physically imposing in height. The Government's nominal concept is for a 30-foot high wall. Offerors should consider this height, but designs with heights of at least 18 feet may be acceptable. Designs with heights of less than 18 feet are not acceptable.
- 3) It shall not be possible for a human to climb to the top of the wall or access the top of the wall from either side unassisted (e.g. via the use of a ladder, etc.)
- 4) The wall design shall include anti-climb topping features that prevent scaling using common and more sophisticated climbing aids (e.g. grappling hooks, handholds, etc.)
- 5) The wall shall prevent digging or tunneling below it for a minimum of 6 feet below the lowest adjacent grade.
- 6) The wall shall prevent/deter for a minimum of one (1) hour the creation a physical breach of the wall (e.g., punching through the wall) no larger than 12-inches in diameter or square using sledgehammer, car jack, pick axe, chisel, battery operated impact tools, battery operated cutting tools, Oxy/acetylene torch or other similar hand-held tools.
- 7) The north side of wall (i.e. U.S. facing side) shall be aesthetically pleasing in color, anti-climb texture, etc., to be consistent with general surrounding environment. The manufacturing/construction process should facilitate changes in color and texture pursuant to site specific requirements.
- 8) The wall design shall be able to accommodate surface drainage.
- 9) The wall design shall be able to accommodate Border Patrol approved design standards for pedestrian and automated mechanized vehicle sliding gates (25 feet and 50 feet).
- 10) The wall design shall be constructible to slopes up to 45 percent.
- 11) The wall fittings and fixtures shall be secured on the north side of the wall to shield from external attack.
- 12) The wall design should be cost effective to construct, maintain and repair.

Objective Requirements

- 1) It is operationally advantageous that the design of first 12 feet of wall height (as measured from the highest adjacent grade) be adaptable to prevent/deter for a period of time greater than one (1) hour up to 4+ hours the creation of a physical breach of the wall (e.g., punching through the wall) no larger than 12-inches in diameter or square using sledgehammer, car jack, pick axe, chisel, battery operated impact tools, battery operated cutting tools, Oxy/acetylene torch or other similar hand-held tools.

C.3.4.2 Mock-Up Construction

The Contractor shall design and construct a 10 ft. by 10 ft. mock-up of an exemplar section of its prototype at a location in San Diego, CA as determined by the Government. The mock-up shall replicate the structural design of the prototype's first 10 ft. of above ground wall height (measured from the adjacent ground) and length to allow the Government to test and evaluate the anti-destruct characteristics of the bidder's wall design. The mock-up shall meet all technical requirements except the anti-dig, anti-climb, and aesthetics. The anti-dig and anti-climb characteristics will not be tested with the mock-up. The modified above ground foundation shall not affect the criteria outlined in specifications below.

The mock-up shall include the following requirements from section C.3.1 of this Statement of Work:

- 1) The Contractor shall build the mock-up to reflect the maximum performance contained within the prototype design (i.e., between 1 hour and 4+ hours).
- 2) The wall fittings and fixtures shall be secured on the north side of the wall to shield from external attack.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

- 3) If the prototype wall design includes see-through component/capability then it shall be installed in the mock-up to test its anti-destruct capabilities

The mock-up shall be constructed within two (2) weeks after notice to proceed (NTP) and shall be constructed concurrent to prototype construction. Within seven (7) calendar days of notification of completion of mock-up evaluation, the Contractor shall remove the structure and dispose of it properly. Disposal includes site clean-up after testing has concluded.

C.3.4.3 Project Kick-off Meeting

The Contractor shall attend a Government led project kick-off meeting in San Diego, CA eight (8) calendar days after task order award. The Contractor shall provide the following documents at the meeting:

- Detailed Schedule (recommended in Primavera) for the approach of the prototype and mock-up including, but not limited to, the following milestones: fabrication, site preparation, and install/construction to include a progress schedule. Schedule must include approach for completing construction of both the mock-up and prototype within the same thirty (30) calendar day timeline.
- Material and equipment staging plan
- Quality control (QC) plan
- Safety and security plan
- Documentation for personnel as outlined in Article C.10 Security

Each Contractor shall be prepared to brief the Government on its plan and timeline for construction.

C.3.4.4 Prototype Design-Build

The purpose of the selected prototypes is to allow CBP to evaluate the features of the Contractor's design for potential inclusion in a border wall standard to be developed by the Government immediately following the construction and evaluation of the prototype designs.

The Contractor shall develop a design that meets the requirements cited in section C.3.4.1 excluding surface drainage and gates. The Contractor shall demonstrate that the design meets the requirements through the use of industry accepted practices.

- The Contractor shall conduct a final high-level design review with the Government at the project kick-off meeting.
- The Contractor shall follow all quality control and safety plans provided to the Government during the contract kick-off meeting.
- The Contractor shall be prepared to mobilize within one (1) week of contract award. Contractor shall not begin construction until Notice to Proceed (NTP) is issued. Once given NTP, Contractor shall complete prototype construction within thirty (30) calendar days.
- The Contractor shall ensure the design is compatible with the geography, terrain, and other characteristics of the prototype location. A Government provided geotechnical report will be provided with the Phase II solicitation. Additionally, the Government will hold a site visit at the prototype location seven (7) calendar days after the release of the Phase II solicitation.
- The Contractor shall produce and deliver to the Government the 95% design package within seven (7) calendar days of contract award.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

- The Contractor shall be responsible for any staging areas as required at an offsite location. (i.e. no staging on the border will be made available by the Government).

C.3.4.5 Disposal

If, upon completion of its evaluation, the Government directs the Contractor to remove the prototype and dispose of it properly off-site, then the Contractor shall restore the site to the previously existing conditions. The Contractor shall complete the removal and restoration within fourteen (14) calendar days of notification by the Government.

C.3.4.6 Deliverables

Upon completion of the Prototype construction, the Contractor shall provide the Government 100% “as-built” designs.

Construction of a 10 ft. reinforced solid concrete wall segment mock-up as defined in section C.3.4.2.

Removal of the mockup and site restoration as defined in section C.3.4.2.

Construction of a 30 ft. long prototype reinforced solid concrete wall as defined in section C.3.4.1.

Removal of the prototype and site restoration as defined in section C.3.4.5.

Detailed Schedule as defined in 3.4.3

Material and Equipment Staging Plan as defined in 3.4.3

Quality Control (QC) Plan as defined in 3.4.3

Security Plan as defined in C.11 and C.11.1

Documentation for personnel as outlined in Article C.10 Security

Health and Safety Plan as defined in C.11

C.3.4.7 Government Furnished Information

Geotechnical site information for the prototype efforts will be provided in Phase II of the solicitation for the Contractor’s use. Additionally, the Government will provide 10 ft. contour topographic information of the site. This information is not site specific data and should be used for informational purposes only.

Best Management Practice (BMP) requirements for meeting all environmental considerations in the construction area will be provided in Phase II of the solicitation.

ARTICLE C.4 – CBP LOCATIONS

Task orders under this contract may be performed at any of the following locations in the vicinity of the U.S. border with Mexico:

Southwest border in California, Arizona, New Mexico, and Texas

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

ARTICLE C.5 – DEFINITIONS

- a) Access Roads. Access roads generally provide access from public roads to the border patrol roads and to TI not accessible from a border road. Access roads are typically one-lane roads with pullouts and turnarounds to accommodate two-way traffic. The width of the access roads shall be 12 feet for one-lane roads but shall widen to 16 feet at curves and points of short sight distance. Access road width and pullout placement shall be designed to allow safe passing of two vehicles at the same time. The maximum width of access roads shall be 16 feet. Access roads are typically constructed of graded aggregate or native materials.
- b) Border Lighting. Border lights typically consist of LED (Light-Emitting Diode) fixtures mounted on poles to illuminate areas along and in proximity to the border to facilitate Border Patrol enforcement activities.
- c) Contracting Officer. “Contracting officer” means a person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer. “Termination contracting officer (TCO)” refers to a contracting officer who is settling terminated contracts. A single contracting officer may be responsible for duties in any or all of these areas. Reference in this regulation (48 CFR Chapter 1) to administrative contracting officer or termination contracting officer does not:
 - 1) Require that a duty be performed at a particular office or activity; or
 - 2) Restrict in any way a contracting officer in the performance of any duty properly assigned.
- d) Contracting Officer Representative. Person(s) designated by the Contracting Officer to be the authorized Government representative in charge of the project.
- e) Contractor. The term Contractor as used herein refers to both the prime Contractors and any of their subcontractors. The Contractor shall ensure that subcontractors comply with the provisions of this contract.
- f) Contractor Representative. A supervisor, superintendent, or manager assigned in accordance with the clause entitled SUPERINTENDENCE BY THE CONTRACTOR.
- g) Drainage Structures. Required to accommodate surface run-off and concentrated conveyance of storm water in a manner that keeps the border accessible to CBP during precipitation events.
- h) Fiber Optics Cable. Fiber optics cabling is typically installed in proximity to wall or fence and is used by CBP to facilitate telecommunications. CBP’s OIT is responsible for providing and installing any electronics associated with the fiber optics cable.
- i) Gates. Gates in fencing and walls are needed to access International Boundary & Water Commission (IBWC) border monuments; accommodate large quantities of concentrated storm water run-off; and accommodate passage of authorized vehicles

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

and personnel. The gates are manually operated with the exception of vehicle gates, which can be mechanized and automated if required.

- j) **Patrol Roads.** Border patrol roads are generally oriented parallel with the border and are used for direct enforcement of the border. Border roads are typically 20 feet wide and are posted for 25 miles per hour travel. These roads shall be designed to allow safe passing of two vehicles at the same time. The roads are constructed of asphalt, concrete or graded aggregate depending on the topography and geotechnical conditions.
- k) **Quality Assurance (QA).** A method used by the CBP to provide some measures of control over the quality of purchased goods and/or services received.
- l) **Quality Control (QC).** A method used by the Contractor to control quality of goods and/or services produced.
- m) **Scope of Work.** Refers to a specific job which shall be ordered by an individual task order.
- n) **Tactical Infrastructure (TI).** TI are physical components designed to assist the Border Patrol in securing the border. These components include but are not limited to wall, fence, roads, gates, bridges, lights, boat ramps, and gates. TI facilitates deterrents and acts as an impediment that slows, delays, contains and serves as an obstacle to illicit cross-border activities.
- o) **Task Order.** "Task order" means an order for services placed against an established contract or with Government sources.
- p) **Telecommunications Towers.** Towers ranging from 80 feet to several hundred feet used by CBP to provide tactical communications for Border Patrol command and control and safety. Towers shall include a shelter for equipment as well as a power supply, in some cases requiring solar power where electrical service is not available.
- q) **Wall.** An 18-30 ft. tall barrier designed to prevent illegal entry and drug trafficking.

ARTICLE C.6 – SCOPE OF WORK – DESIGN-BUILD PLANNING SERVICES

For Design-Build requirements, the Contractor shall provide Architectural and Engineering (A-E) planning services. A-E services that are not part of a design-build requirement are not allowed under this contract. The Contractor is required to provide detailed surveying, site layout work, shop drawings, drawings and sketches, drawings detail expansion, engineering calculations, and other related work as required to properly prepare and accomplish all design-build work. The Design-Build Contractor shall be responsible for the coordination of design, engineering and construction disciplines in order to fulfill the requirements of this contract and to provide for a complete, integrated and functional design. All below grade utility crossings or other above or below grade interferences shall be coordinated, with any conflicts resolved, by the Contractor prior to start of construction. Construction documents shall be sufficient to afford a clear understanding of the construction work required. The work shall be organized in a manner that shall assure thorough coordination between the various details on the drawings and between the drawings and the specifications. The Contractor shall cross-check all work and certify that all conflicts have been reconciled. These guidelines establish the minimum level of quality and CBP-specific requirements for all design and construction projects at CBP. The minimum requirements in

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

this document, as modified by project-specific variances, shall be thoroughly coordinated and reflected in the drawings and specifications. The Contractor shall also comply with the latest edition of all applicable national building codes and regulations. The degree of work may vary depending on the complexity of individual projects. Project record drawings are not considered A-E planning services. Record drawings shall be provided upon the completion of every task order.

Computer-Aided Drafting and Design. Drawings shall be prepared using the latest AutoCAD release. The drawing submission shall include hard copy and electronic documents. Quantity, size and format to be specified in task order.

Plans and Specifications. The A-E shall develop project-specific plans and specifications. The A-E shall develop the new specification using the latest version of the AIA (American Institute of Architects) Master specs as the baseline. Provide ten (10) hardcopy and electronic version in Microsoft Word and Adobe PDF. Quantity, size and format (including pdf) to be specified, as applicable, in each task order.

ARTICLE C.7 – SCOPE OF WORK – CONSTRUCTION SERVICES

Specifications shall be provided to the Contractor and shall be utilized under this contract, unless otherwise directed by the Contracting Officer.

The Contractor shall be responsible for, but not limited to, the following services:

- 1) Construction services. Construction services shall be provided in response to individual task orders. The work described herein extends beyond the conventional, single project construction concept in that it may involve the planning, scheduling, coordination, procuring, and installation of a fluctuating series of related tasks.
- 2) Work and Services. The work to be performed under this contract shall include furnishing all labor, materials, supervision, coordination, miscellaneous equipment and materials required for full and complete execution of the work as defined herein and the attached standard details.
- 3) The Contractor shall perform all management, supervision, and other administrative activities necessary to assure performance in strict compliance with the terms and conditions of this contract.
- 4) The Contractor shall provide all labor, materials, equipment, supplies, permits, fees, and consultant services required to construct and install the border wall and associated tactical infrastructure including but not necessarily limited to access roads, patrol roads, fiber optics cable, drainage structures, border lighting, and tactical communication towers.
- 5) The Contractor shall be responsible for the professional quality, code compliance, technical accuracy and coordination of all designs, drawings, specifications and other documents or publications upon which the construction is based.
- 6) All survey work performed by the Contractor, including but not limited to construction staking, topographic survey, and as-built drawings, during the design and construction shall be performed under the direction of a licensed professional Surveyor.
- 7) All construction required of the Contractor to complete the construction of the prototype and resulting task orders (if any), as well as any associated tactical infrastructure and technology insertions or add-ons, shall be in accordance with the criteria contained herein using industry

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

standard materials and efficient practices. The Contractor shall buy materials and equipment accepted within the construction industry. The materials selected shall be of high quality, durable and easily maintained.

- 8) Beginning on the date of Notice to Proceed (NTP) on this contract, the Contractor shall be continuously available to Custom and Border Protection's representatives for response to requests for information, discussion of contract performance, and other contract administration activities such as billing or payment, etc.
- 9) The Contractor shall be responsible for the coordination of all Sub-Contractors required to complete construction.
- 10) The Contractor shall adhere to all construction related Best Management Practices (BMPs) identified by CBP in each Task Order Award. BMPs outline the Government's requirements for meeting all environmental considerations in the construction area. The Contractor shall be required to participate in CBP-provided BMP awareness training at the kickoff of the project. CBP shall conduct routine monitoring of BMP implementation during construction activities. The Contractor shall be required to immediately correct any non-compliant BMP upon notification by CBP.
- 11) Neither the Contractor, nor the Contractor's representatives, shall release any report, data, specification, photograph, cost estimate, nor other information in any form obtained or prepared under this contract without prior written approval of the Contracting Officer.
- 12) Upon completion of any construction project awarded under the IDIQ, the Contractor shall submit Final As-Built Drawings and Specifications. Other construction records, including requests for information (RFI) and QA/QC documents, shall be submitted in Adobe Acrobat PDF format.
- 13) Record Documents. During the progress of the job, the Contractor shall keep a careful record at the job site of all changes and corrections from the layouts shown on the drawings. The Contractor shall enter such changes and corrections on contract record drawings and shall indicate, in addition to all changes and corrections, the actual location of all sub-surface utility lines. In order that the location of the lines and appurtenances may be determined in the event the surface openings or indicators become covered over or obscured, the record drawings shall show, by offset dimensions to two permanently fixed surface fixtures, the end of each run, and each change in direction. Valve, splice boxes, and similar appurtenances shall be located by dimensioning along the utility run from a reference point. The average depth below the surface of each run shall also be recorded. At the time of final acceptance of each structure or facility involved under the contract, the Contractor shall submit to the Contracting Officer record documents.
- 14) Record of Materials. The Contractor is required to furnish a record of materials used in the construction upon completion of each task order. The deadline for submission of the record of materials will be specified at the task order level. Submission of this data is a condition for final payment. Where several manufacturers' brands, types, or classes of the item listed have been used in the project, the specific areas where each item was used shall be designated. Designation shall key to the areas and spaces depicted on the record drawings.
- 15) Contractor's Management and Supervision. The Contractor shall provide and maintain a professional staff for the management and supervision of all task orders. The Contractor is

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

solely responsible for obtaining any other services deemed necessary for effective execution of task orders.

ARTICLE C.8 – DESIGN AND CONSTRUCTION SCHEDULE

Within seven (7) calendar days of receipt of any task order award (including the prototype task order), the Contractor shall submit a proposed design and/or construction schedule for review and approval by the Contracting Officer's Representative. The schedule shall be approved in writing by the Contracting Officer's Representative before any work is started. The schedule shall be prepared in Critical Path Method (CPM) – program based format following the outline of the component divisions and subsections of the project specifications. The schedule shall be prepared in Primavera (or equivalent scheduling software) in sufficient size and detail to clearly indicate the following:

The schedule shall include the proposed sequence of design and construction including required phasing of the work the design and construction submissions (e.g. design submissions, shop drawings, samples, and other submittal information). This should include projected submittal approval dates (allow ten (10) working days for review) and material delivery dates. Contractor shall provide Work Breakdown Schedule (WBS) for approval which shall include the activity identification system for labeling all work activities. Costs assigned to all activities shall equal the contract value, including material and equipment.

The Project Schedule shall include time scaled network diagrams; computer generated mathematical analysis reports, and associated reports as required by this Specification section. The mathematical analysis reports shall include, at a minimum, the following information:

- 1) Activity number(s) and descriptions;
- 2) All WBS codes;
- 3) Original and remaining durations for each activity;
- 4) Early start by calendar date;
- 5) Early finish by calendar date;
- 6) Late start by calendar date;
- 7) Late finish by calendar date;
- 8) Actual start by calendar date;
- 9) Actual finish by calendar date
- 10) Total float in work days;
- 11) Monetary value of each activity;
- 12) Percentage of activity complete linked to remaining duration;
- 13) Contractors earnings, based on the Contractors reported portion of activities completed and accepted; and
- 14) Imposed constraints.

All requirements shall be specified on a task order basis.

ARTICLE C.9 – CONTRACTOR QUALITY CONTROL (CQC) PROGRAM

A general description of the CQC Program shall be available for CBP review during the pre-award survey. Two copies of the complete CQC Program shall be provided to the Contracting Officer for review and approval within thirty (30) calendar days after award of the master contract and as changes are made thereafter. The program shall include:

- 1) A quality control inspection system covering all contract services. It must specify areas to be inspected on both a scheduled or unscheduled basis and how inspections are to be conducted.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

- 2) The name(s) and qualifications of the individual(s) tasked to perform the quality control inspections, and the extent of their authority.
- 3) A method for identifying deficiencies in the quality of services performed and taking corrective action before the level of performance becomes mandatory.

A file of all Quality Control Inspections, Inspection results, and any corrective action required, shall be maintained by the Contractors throughout the term of this contract. This file shall be the property of the CBP and shall be made available to the Contracting Officer within one (1) hour of request. The file shall be turned over to the Contracting Officer within five (5) calendar days after completion/termination of the task order and prior to final payment.

ARTICLE C.10 KEY PERSONNEL

The Contractor shall provide key personnel as defined below.

Construction Superintendent:

Coordinates and oversees completion of the construction of the project. Manages the site for the Contractor and serves as field point of contact for the construction effort. Provides construction reports as per this statement of work. Coordinates scheduling of site activities with Government Project Manager and site representatives. The credentials of the proposed Construction Superintendent(s) will be reviewed to ensure they have at least ten (10) years of experience on construction projects. Provides list of employees in time to complete vetting and ensures only CBP vetted personnel are on job site.

Project Manager:

Coordinate and oversee completion of activities in all phases of the project. Manages the entire project and serves as the main contact for the Government for the project design and construction effort. Integrates and coordinates the project with design and field personnel. Ensures site personnel work with Government project team for scheduling of deliveries and construction activities. The credentials of the proposed Project Manager will be reviewed to ensure they have a technical degree and/or equivalent experience, and at least five (5) years of experience on construction projects. The credentials of the proposed Project Manager will be reviewed to ensure they have a bachelor's degree in engineering or related technical field or business/management. Additionally, a minimum of 5 years post-graduate experience managing and supervising construction projects is required.

Lead Designer:

Serves as design lead for project. Primary design contact to Government to provide all information requested to satisfy design requirements. Must be a licensed professional engineer. Ensures design meets or exceeds all government requirements. The credentials of the proposed Lead Designer will be reviewed to ensure they are a registered professional engineer and/or licensed Architect. Professional Registration and/or Licensing is required in California, Texas, New Mexico, and Arizona are preferred as well.

ARTICLE C.11 SECURITY

It shall be the Contractor's responsibility to furnish its own security for personnel and to safeguard its equipment during the entire project lifecycle. This shall include, but not be limited to, the actual project sites and/or staging areas and storage facilities. The Contractor shall install temporary chain link fencing with barbed wire to deter vandalism to the structures when no work is taking place. The U.S. Customs and Border Protection will not provide security for the Contractor, its equipment, or its materials.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

As part of the security requirement, the Contractor shall be responsible for the development of a Security Plan in conjunction with the Health and Safety Plan. The detailed Security Plan shall include details such as, but not limited to; "fall back positions", evacuation routines and methods, muster area, medical staff members/availability, number of security personnel, qualifications, years of experience, etc. in the event of a hostile attack. This plan shall be reviewed by the CBP Contracting Officer's Representative for inspection and final acceptance prior to construction activities. The Contractor shall bring three (3) copies of the security plan to the pre-construction conference.

Additional Security requirements may be required in future task orders.

The Contractor shall be responsible for submitting a list of all personnel required at the jobsites for verification by CBP prior to conducting activities. Activities include, but are not limited to; site investigations, surveys, and construction. No employee shall be allowed on site until screened and checked for criminal history and proper immigration status. Any personnel having questionable history/backgrounds shall be rejected and not authorized to enter the jobsite. This list marked "CONFIDENTIAL" shall be submitted to the Contracting Officer for forwarding to Border Patrol personnel.

To facilitate the screening and checking of each employee entering in or working on Federal property, the General Contractor shall submit:

- The individual's full name
- Company Name
- Date of Birth (DOB)
- Social Security Number
- Driver's License and/or State Identification Number
- Place of Birth (POB)

After submission of requirements stated above, the Contractor shall proceed with all work unless further notified by the Government.

Employee Identification Badges: Contractor personnel shall wear visible Contractor-furnished employee identification badges while physically on the construction site. Each badge shall include, as a minimum, the company name, employee name, photograph of employee, Contract Title, Contract Number, and the expiration date of the badge.

D) Reporting of New and Departing Employees

The Contractor shall notify the Contracting Officer Representative (COR) and Contracting Officer within five (5) working days of staffing changes.

- i. New Employees: Provide The individual's full name, Company Name, Date of Birth (DOB), Social Security Number, Driver's License and/or State Identification Number, Place of Birth (POB)
 - ii. Departing Employees: Provide the name and position title

C.11.1 Prototype Site Security

The Contractor shall ensure all personnel employed on the construction activity become familiar with and obey construction regulations including safety, fire, traffic and security regulations. The Contractor shall also ensure all personnel keep within the limits of its designated worksite and avenues of ingress and egress. Ingress and egress of Contractor vehicles at the construction site is limited to the Contractor's gate. Hard hats must be worn in designated areas. No personnel shall enter any restricted areas unless required to do so and until cleared for such entry. The Contractor's equipment shall be conspicuously marked for identification.

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

ARTICLE C.12 REPORTING REQUIREMENTS

1) TECHNICAL PROGRESS REPORTS

In addition to the required reports set forth elsewhere in this Statement of Work, the preparation and submission of regularly recurring Technical Progress Reports shall be required in any contract resulting from this solicitation. These reports shall require descriptive information about the activities under taken during the reporting period and shall require information about planned activities for future reporting periods. The frequency and specific content of these reports shall be determined prior to contract award for monitoring of the overall IDIQ contract and on a task order basis for each awarded task basis.

For proposal preparation purposes only, it is estimated that in addition to the required electronic version(s) five (5) hard copies of these reports shall be required as follows:

- ☒ Weekly
- ☐ Quarterly
- ☐ Semi-Annually
- ☐ Annually
- ☐ Annually (with a requirement for a Draft Annual Report)
- ☒ Final - Upon final completion of each task order
- ☒ Final - Upon final completion of the contract (with a requirement for a Draft Final Report)

2) OTHER REPORTS/DELIVERABLES

All required reports and deliverables shall be specified in each task order issued by the Government.

ARTICLE C.13 SPECIAL CONSIDERATIONS

Neither the Contractor nor any subcontractor or representative thereof shall release or publish any sketch, photograph, report or other material of any nature derived or prepared under any resulting task order without specific written permission of the Contracting Officer except as specifically provided in the SOW.

Copyright shall not be claimed by the Contractor for any materials produced under any resulting task order. All such materials are to remain within the public domain.

The Contractor and those in its employ may not, during the term of the agreement, present reports of research from this project to various professional societies and publications. Abstracts and copies of these reports, presentations, or articles utilizing work sponsored by any resulting task order shall be provided to the Contracting Officer for approval prior to publication or presentation.

In the event the Contractor encounters problems in fulfilling performance requirements, or when difficulties are anticipated in complying with any task order schedule or dates, or whenever the Contractor has knowledge a potential situation is delaying or threatening to delay timely performance

SOLID CONCRETE BORDER WALL DESIGN/BUILD IDIQ CONTRACT

of tasks, the Contractor shall immediately notify the Contracting Officer by phone and in writing noting all relevant details.

The Government requires unlimited rights in any material first produced in the performance of this Contract, in accordance with the FAR clause at 52.227-17. In addition, for any material first produced in the performance of this contract, the materials may be shared with other agencies or contractors during the period of performance of any resulting task order, or after its termination. For any subcontractors or teaming partners, the Contractor shall ensure at proposal submission that the subcontractors and /or teaming partners are willing to provide the data rights required under any resulting task order.

END OF STATEMENT OF WORK